

§ 905.163

7 CFR Ch. IX (1–1–05 Edition)

the requirements and regulations applicable to such certificates. Whenever the committee finds that a repacking shipper is failing to comply with the requirements and regulations applicable to such certificates, the certificate of privilege issued to such repacking shipper may be suspended or, in the case of an application for the issuance of an initial certificate of privilege, may be denied. Such suspension of a certificate shall be for a reasonable period of time as determined by the committee, but in no event shall it extend beyond the end of the then current fiscal period. In the case of the denial of an application for the issuance of an initial certificate, such certificate shall be denied until the applicant comes into compliance with the requirements and regulations applicable to such certificates. Prior to suspending or denying an application for a certificate of privilege, the committee shall give the shipper or applicant an opportunity, either orally or in writing, to present opposing facts and reasons. The shipper or applicant shall be informed of the committee's determination in writing and in a timely manner.

[59 FR 48783, Sept. 23, 1994]

§ 905.163 Reports of shipments under repacking certificate of privilege.

(a) Each repacking shipper who handles citrus fruit under a repacking certificate of privilege shall supply the committee with reports on each shipment as requested by the committee, on a Report of Shipments Under Certificate of Privilege form supplied by the committee, showing the name and address of the repacking shipper; name and address of the handler supplying the inspected and certified citrus fruit for such shipment; number of packages; size and containers; brand; grade; certificate number; and any other information deemed necessary by the committee. Each repacking shipper of cit-

rus fruit shall maintain on file a copy of the Federal-State manifest that certifies the grade and amount of each load of citrus fruit received. These manifests shall be readily available to the committee upon request.

(b) One copy of the Report of Shipments Under Certificate of Privilege form on each shipment shall be forwarded to the committee promptly, one copy of such form shall be retained by the repacking shipper, and one copy of such form shall accompany the shipment. Failure to complete and return such form shall be cause for suspension of the repacking shippers repacking certificate of privilege.

[59 FR 48783, Sept. 23, 1994]

Subpart—Assessment Rates

§ 905.235 Assessment rate.

On and after August 1, 2003, an assessment rate of \$0.006 per 4/5 bushel carton or equivalent is established for assessable Florida citrus covered under the order.

[68 FR 55809, Sept. 29, 2003]

Subpart—Grade and Size Requirements

§ 905.306 Orange, Grapefruit, Tangerine and Tangelo Regulation.

(a) During the period specified in column (2) of Table I, no handler shall ship between the production area and any point outside thereof, in the 48 contiguous States and the District of Columbia of the United States, any variety of fruit listed in column (1) of Table I unless such variety meets the applicable minimum grade and size (with tolerances for size as specified in paragraph (c) of this section) specified for such variety in columns (3) and (4) of table I: *Provided*, That all grapefruit meet the minimum maturity requirements specified in paragraph (e) of this section.

TABLE I

| Variety | Regulation period | Minimum grade | Minimum diameter (inches) |
|---------------------------|-------------------------|-------------------------|--------------------------------|
| (1) | (2) | (3) | (4) |
| ORANGES | | | |
| Early and midseason | 01/29/90–08/19/90 | U.S. No. 1 Golden | 2 ⁵ / ₁₆ |